

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

<i>In the Matter of:</i> Gwynedd Post Office (Branch) Gwynedd, PA 19436 Christina Surowiec, Petitioner	Docket Number A2011-15
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REPLY BRIEF IN RESPONSE TO USPS FILING OF JUNE 27

(July 12, 2011)

In support of the previously filed Petition filed appealing the Postal Service's decision to close the Gwynedd, PA 19436 branch of the North Wales Post Office, commonly known as the Gwynedd Post Office, the Petitioner respectfully submits the following brief and supporting materials to the Postal Regulatory Commission:

Opening Statement – Stipulation of Stage in the Appeal Process

On June 7, Petitioner filed her Initial Brief stating a range of arguments supporting the position that the Commission should order USPS to reverse its closure of the Gwynedd (PA 19436) Post Office. That Initial Brief was structured as a response to the USPS submission to the Commission on May 18 entitled "Notice of United States Postal Service." This USPS document represented an answer to the order of the Commission for a responsive pleading to Petitioner's initiation of an appeal in this matter, which was received by the Commission on May 3, 2011. On June 27, the Postal Service filed an Answering Brief ostensibly in response to the arguments in Petitioner's Initial Brief. Petitioner hereby responds to the documentation filed by USPS before the Commission listed in this paragraph.

USPS also filed its Administrative Record pertaining to this matter on or slightly before July 1. Petitioner has the opportunity to respond to germane issues revealed in the Administrative Record by July 18, and intends to file such a response.

Summary of Arguments in Petitioner's Reply Brief

For the most part, Petitioner found the USPS Answering Brief submitted to the Commission on June 27 to be a simple restatement of the first responsive pleading by USPS filed with the Commission on May 18. Thus, no argument by Petitioner in her June 7 filing, the formal Initial Brief for the appellant side, has even been answered, let alone refuted. Petitioner respectfully requests that all interested parties review the USPS documentation provided on May 18, the Initial Brief filed by Petitioner on June 7, and the USPS Answering Brief of June 27 to verify the accuracy of Petitioner's characterization.

Nevertheless, Petitioner shall do her best not to remain stuck in this rut of repetitiveness. The intent herein is to expound and expand upon some of the most relevant discrepancies, in her view, between the grounds for closure of the Gwynedd Post Office cited by USPS and Petitioner's assessment of the facts and how they should be interpreted. This Reply Brief addresses four main issues. Specifically, Petitioner contends:

1. USPS mischaracterizes the Gwynedd Branch as Gwynedd Station. This jurisdictional issue has some bearing on postal services received in the community.
2. The attempt by USPS to demonstrate the economic non-viability of the Gwynedd Branch is faulty, as it ignores the influence of curtailed hours, the road project, and macroeconomic conditions.
3. From the first notification that the Gwynedd Branch was being considered for closure, USPS has consistently mischaracterized the effect of the US Route 202 road project on the post office location. This project is a temporary inconvenience (though of multiple years' duration, now almost over) that will not make the site

inaccessible. The road reconfiguration is a safety improvement. The claim that traffic connections allowing travel between Meeting House Road and Route 202 in either direction will cease to exist is false.

4. In a modicum of new material in its June 27 filing, USPS seeks to portray a high degree of solicitousness for local residents' concerns at the public meeting convened by their personnel to discuss the proposed closure of the Gwynedd Post Office with members of the community. This event took place on March 3, 2011 at the Lower Gwynedd Township municipal building. Petitioner emphatically asserts that such a rosy description of thoughtful, respectful USPS representatives is, at best, disingenuous. Although, unfortunately, no audiotape or videotape of the occasion exists or can be located, Petitioner can demonstrate a lack of responsiveness by USPS that contradicts its claim to have given full due consideration to all relevant factors and concerns.

These four issues are discussed in further detail in the text of this Reply Brief, as follows.

1. Gwynedd Post Office: Branch or Station?

The United States Postal Service defines a Post Office Station as a post office facility within a defined municipal area that is subsidiary to that municipality's central post office. It defines a branch as a USPS retail service and mail dispatch site outside of the city limits of the larger post office to which it is subsidiary. The Gwynedd Post Office, despite being one of the first 35 U.S. post offices in the state of Pennsylvania, is now a branch of the North Wales Post Office. It cannot be a station of the North Wales Post Office because North Wales is not the same municipality. North Wales is a borough, in essence a small town, carved out of Upper Gwynedd Township. Gwynedd is an unincorporated community that is part of Lower Gwynedd Township, a completely separate municipality from both Upper Gwynedd Township and North Wales. In the community of Gwynedd, where the closure of the post office is being appealed, residents' municipal government and local police services are administered through Lower Gwynedd Township.

Petitioner cites these jurisdictional matters not from a conviction that they are in any way dispositive, but as a sort of lead-in to a tangle of inefficiencies that affect local mail service. There is also a possible tie-in to the issue of community identity and cohesion, which lies within the Commission's purview. Therefore, bringing this aspect of the affair to the Commission's attention seems appropriate, even if the material in this section of the current brief does not form the crux of the appellant case.

The destination of mailed articles is ultimately controlled by zip code. Of the residents who receive carrier service to a home mailbox along the small street that Petitioner lives on, Meeting House Road, some have an address with an Ambler zip code (PA 19002) and some have an address with a North Wales zip code (PA 19454). The city designation used may be Gwynedd, Lower Gwynedd, Ambler, or (rarely) North Wales. Residents here, if asked where they live in a non-postal

context, would likely respond Gwynedd, our specific community, or Lower Gwynedd, our municipality. This multiplicity of zip codes with inconsistent city names is not just confusing; there is actual duplication of carrier routes. To pick up a large package or sign for a certified letter, a resident with zip code 19002 would have to go to the Ambler Post Office while her next-door neighbor in the same situation but with zip code 19454 would go to the North Wales Post Office. Given the Postal Service's stated concern for efficient consolidation of services, Petitioner wishes that USPS local administrators, instead of acting to close the Gwynedd Post Office, would have moved to consolidate carrier routes in this area under a Gwynedd address and zip code.

2. Decline in Business Volume at the Gwynedd Post Office; Invalidity of USPS Claim That This Is Not an Economically Viable Location

In both of its briefs to the Commission on the matter of this appeal, the USPS points to a decline in receipts at the Gwynedd branch, from \$110,643 in fiscal year 2008 to \$74,617 in fiscal year 2009 to \$64,536 in fiscal year 2010. In neither document does the Postal Service acknowledge that the declines correspond with (a) the halving of business hours, which were cut to 8 a.m.-11 a.m. Monday to Friday; (b) a calamitous downturn in the entire U.S. economy; and (c), especially during the past year, an intense phase in the immediate area of the U.S. Route 202 road construction project.

Petitioner restates her contention, emphasized in her Initial Brief, that USPS has failed to conduct a legitimate economic impact study. The loss of business volume at the Gwynedd Post Office reflects drastically shortened hours of operation and the road project, along with factors that adversely affected total business volume at all Postal Service locations, namely some shift to electronic communications and transactions and a recessionary period during which many forms of business suffered a generalized, quite severe decline. The USPS has also never responded to the fact that the Gwynedd

location, despite these adverse factors, has remained a generator of net revenue. It has not shown why the costs and benefits of operating other locations are so superior to the prospective situation at Gwynedd that the Gwynedd unit is the one that best serves USPS interests by closing. Actually, compared to all other USPS sites across a wide general area, the Gwynedd location offers clearly superior potential to draw non-resident business once the Route 202 upgrade is completed. The USPS is basically seeking to abandon an asset while retaining liabilities, all in the name of straitened economic circumstances.

3. Reconstruction of U.S. Highway 202 and Reconfiguration of the Meeting House Road Intersection

Filings by the USPS claim that the road project adjacent to the Gwynedd Post Office on U.S. Route 202, now ongoing and in its late stages, will render the Gwynedd Post Office permanently inaccessible. This egregiously misconstrues the actual situation. By that token, my neighbors and I, who live on Meeting House Road, would also be permanently cut off from Route 202. More seriously, the local fire department substation, the nearest structure to the post office sharing the same parking lot, would become an island of trapped engines with no way to respond to an emergency call. That is absurd. Proposals to build a new firehouse somewhere in the vicinity are percolating, but the timetable is indefinite and the existing substation will remain in use for the foreseeable future.

The 202 project, as discussed by Petitioner in her Initial Brief, is reconfiguring the Meeting House Road-Route 202 intersection, replacing a hazardous sharply angled crossroads with one that will provide a square 90 degree turn for all drivers – those leaving Meeting House Road, which ends at 202, who turn onto 202, as well as drivers traveling in either direction, north or south, along 202 who wish to turn onto Meeting House Road. The new Meeting House Road intersection is on the other side of the Beaumont House property (one large house lot) from the current, soon to be closed

intersection. Visibility of the post office from Route 202 is unaffected by the road project, and minor addition of signage would amply serve to direct customers accessing the Gwynedd Post Office from that highway.

As Petitioner sought to emphasize in her Initial Brief, Gwynedd is the only USPS location along a 17.5 mile segment of a major U.S. highway (Route 202), now undergoing a major upgrade, between the county seat cities of Norristown (Montgomery County) and Doylestown (Bucks County). This exposure to a high volume of through traffic is a substantial asset in that the Gwynedd Post Office thereby has the potential to generate a reliable ongoing stream of incidental (non-resident) customers. All other USPS locations in this general area (the east central and west central swaths of Montgomery County and Bucks County, respectively) are on local streets and serve strictly local clienteles. The road project has certainly inconvenienced postal customers and others using Route 202 in this area during the past couple of years, but the forthcoming result will be a permanent improvement – not, as described by USPS, a permanent impairment – of the Meeting House Road-Route 202 intersection. This mischaracterization of the effect of the road project, which was the main substance of the initial February 15 communication that Gwynedd Post Office box customers received announcing the facility’s prospective closure and which USPS has invoked repeatedly since then, should not be allowed to justify the permanent closing of a revenue-generating post office branch in a superior location.

4. Challenge to the USPS Description of the March 3 Public Meeting in its June 27 Answering Brief

The June 27 filing by the USPS to the Commission ostensibly makes some effort to revisit the March 3 public meeting held at the Lower Gwynedd Township municipal building, when Postal Service personnel discussed the prospective closure of the Gwynedd Post Office with community

residents. At least, the June 27 brief notes that USPS gave residents' concerns "serious consideration" (page 4) and "thoughtfully considered" them (page 5). The Answering Brief also contains a verbatim restatement of the eight priorities listed by Petitioner in her June 7 Initial Brief for this appeal. The eight priorities are described in the USPS Answering Brief as Petitioner's concerns, which is not quite correct – they are actually a paraphrase of the USPS' own language in its opening documentation submitted to the Commission regarding this appeal on May 18. In its May 18 filing, USPS listed this set of concerns as the main problems residents expected to experience as a result of the closing of the Gwynedd Post Office. Petitioner, in her Initial Brief for the appellant side submitted to the Commission on June 7, restated these priorities partially to concur with and partially to dispute the USPS ranking of local residents' concerns. Petitioner, in her Initial Brief and again here, contends that the information provided at the meeting failed to address, let alone satisfy, residents' concerns about various issues. For instance – and this is not meant as an exhaustive listing – Mr. Mike Roberts, who conducted the meeting, gave no account why the Beaumont House proposal was abandoned, did not acknowledge that the Route 202 road project would *not* make the Gwynedd Post Office permanently inaccessible, and failed to mollify heatedly expressed community objections to the bad access and parking conditions at the strip center with the Spring House branch designated to absorb Gwynedd Post Office customers. This last matter, Petitioner vividly recollects, took up much, probably a majority, of the meeting time. An affidavit giving Petitioner's account of the meeting as she remembers it is provided in Appendix A.

It is probably rather futile to point to the gratuitous insertion of words like "thoughtful" and "serious" as a ham-handed attempt by USPS to make the March 3 meeting appear, in retrospect, more respectful (both ways) and productive than it actually was. In the affidavit, Petitioner called the tone of the meeting "animated and contentious." Here, she reiterates that she finds that description fair or even

moderate. However, one factual matter remains outstanding that should serve to demonstrate that USPS personnel, those who held this meeting and those who proceeded to announce the termination of the Gwynedd Post Office supposedly after giving due consideration to issues voiced at the meeting, do not meet the test of being fully and fairly forthcoming. A USPS customer relations employee named Donna Saulino took notes throughout the meeting. Despite repeated requests, beginning with a letter from Petitioner dated May 18, the USPS will not produce these notes in connection with the appeal, summarize them, or explain what happened to them. Petitioner adamantly maintains that the sanitized meeting account provided by USPS is not an acceptable simulacrum for what really went on. Furthermore, numerous local residents, some who were at the meeting and some who were not but got Ms. Saulino's contact information from cards distributed at the meeting, contacted her with various objections to the Gwynedd Post Office closure and complaints about conditions at the replacement site in Spring House. No one ever received any response whatsoever to these communications. That does not evince good or respectful customer service.

This closes the Reply Brief by Petitioner, who thanks the Commission for providing this avenue of recourse and earnestly seeks their thoughtful consideration of the matters detailed herein.

Dated this 12th day of July 2011.

Respectfully submitted,

CHRISTINA SUROWIEC, PETITIONER

APPENDIX A

Copy of affidavit signed & notarized
June 6, 2011 – actual affidavit
mailed to the PRC

Affidavit of Christina Surowiec

My name is Christina Surowiec. I am a freelance writer and consultant, residing at 1333 E. Meeting House Road, P.O. Box 64, Gwynedd PA 19436. As a voluntary project prompted by concerns expressed in my community, I have taken steps to appeal the closing of the Gwynedd Post Office (or branch) by the United States Postal Service to the Postal Regulatory Commission. The PRC has recognized me as lead appellant in this case, to which it has assigned the docket number A2011-15.

In this affidavit, I wish to put on record my best recollection of a public meeting about the Gwynedd Post Office closing, scheduled by Philadelphia-based USPS personnel and held at the Lower Gwynedd Township municipal building on March 3, 2011. The meeting was conducted by a USPS customer service analyst named Mike Roberts, who was accompanied by another USPS customer service person named Donna Saulino. Ms. Saulino took handwritten notes throughout the proceedings. Despite appellant's request, the Postal Service has not provided these notes (or any explanation about what happened to them) to the PRC as part of the appeal documentation.

The meeting drew large attendance, filling the hall. In the hour-plus duration, numerous people who wanted to speak did not get a chance to do so.

Mr. Roberts led off by stating that the Postal Service had to downsize its number of facilities because of an ongoing loss of business volume. No one challenged the fact that postal volume is not what it used to be due to rising use of e-mail and online bill paying, but when Roberts went on to give numerical data on the Gwynedd Post Office's decline in business volume, several attendees shouted back at him that of course there would be a decline in business when the hours were cut in half. In recent years clerk service at the post office has only been available from 8 to 11 a.m. Monday to Friday; both afternoon service and Saturday service were eliminated. Mr. Roberts made no acknowledgement that the reduction in hours would complicate any attempt to analyze the decline in business. Material subsequently submitted by USPS to the PRC does not mention this factor, either. A few attendees also voiced other complaints about the service they received at Gwynedd: finding the counter closed a little *before* eleven, potholes in the parking lot are ones that I recall.

Several people queried Roberts to the effect of "What about the old house? I thought the post office was going to be moved into the old house." His reply (again, I can't quote exactly from memory, but I vividly recall the import of his words) was, "I don't know anything about an old house."

This phase of the discussion dealt with a structure known as the Beaumont House, built in the early 1800s and now owned by the Foulkeways retirement community. In a spectacular though slow-motion event in 2006, a remarkable professional crew from Wolfe House & Building Movers, after detaching the Beaumont House from its original foundation, transported it some hundreds of feet at a rate of several inches a minute to get it out of the way of the Route 202 project. The moving of the house was covered by local TV news and KYW news radio, and an article in the *Lansdale Reporter* newspaper noted that upcoming restoration of the house would convert the upper floors to guest

lodgings for people visiting Foulkeways residents, while the ground floor would become the new Gwynedd Post Office. No public retraction of this plan or proposal ever appeared in the news media, although a careful perusal of minutes for Lower Gwynedd Township local government meetings (something I've only had a chance to do myself over the last two or three weeks as I write this) would reveal changing and still not totally clear plans. At one time years ago, I had the impression that the Route 202 reconfiguration would run right through the existing Gwynedd Post Office, but by early 2011 one could see the actual location of the new roadway, which leaves the post office building intact while shifting the Meeting House Rd.-202 intersection from just south of the Beaumont House parcel to just north of it.

Here I interpolate my surmise, dating back to well before the March 3 public meeting, that plans for the post office had evidently changed and did not involve the Beaumont House. Still, up until the announcement by USPS on February 15, 2011 of its intent, or proposal, to close its Gwynedd location, I had no reason to expect that ongoing activity in the area would lead not to the retention or nearby relocation of the post office, but its elimination. The short hours, the unmaintained parking lot seemed like a temporary inconvenience related to the road work.

At a point relatively early in the meeting at the township building, A.J. Jones, president of the Eastern Montgomery County local of the postal workers' union, introduced himself and gave his perspective on the matter. On the morning of February 16, he said – just as Gwynedd box holders were receiving notice of a **possible** closure of their post office, subject to public input and due consideration of all relevant factors – his maintenance supervisor got word from District Manager Gallagher that Gwynedd **would** close; the purpose of the communication was to get a go-ahead from the union on the Postal Service contracting out the job of dismantling the boxes, etc.

Much of the meeting was animated and contentious. The above-mentioned remarks by Mr. Jones reinforced the impression of the closure being a predetermined inside job. An aide for Congresswoman Schwartz was almost shouted down for making statements that seemed more sympathetic to USPS than residents, although she finished by affirming that the congresswoman opposed the closure and would make some type of attempt to stop it. My father, Frank Surowiec, who had turned 90 one week before, asked Mr. Roberts what the financial savings from closing the Gwynedd Post Office would amount to; the response was “about \$50,000.” As Mr. Roberts further stipulated that there would be no layoffs, much discussion ensued as to how these numbers could ever add up, since operating cash flow at the Gwynedd Post Office was actually positive exclusive of labor costs.

A big bone of contention, discussed for much of the meeting, was USPS' designation of its Spring House branch as the facility that would absorb Gwynedd customers. Gwynedd is a freestanding traditional small post office, Spring House is a unit in a strip shopping center. When someone asked Mr. Roberts for information about terms of the lease at Spring House, he said he didn't know. The top objection residents had, especially those who were box holders at Gwynedd, to being shunted to the Spring House facility was a congested small parking lot and, above all, a hazardous left turn onto Bethlehem Pike, a busy surface road, required to leave the shopping center and head in the direction of Gwynedd. Mark Gray, a Lower Gwynedd Township supervisor, was quoted in the local newspaper story reporting the meeting as saying, “Trying to make a left-hand turn out of that parking lot is a real challenge. You might be solving one problem, but it could be causing another problem.” A less tactful description by another attendee was that the lot at Spring House is a “death trap.” (The Web link to the *Lansdale Reporter* story on the March 3 meeting with the quotes in this paragraph is <http://www.thereporteronline.com/articles/2011/03/14/news/doc4d7dab3277db1002880255.txt?viewmode=fullstory>). Amid much back and forth, Mr. Roberts never acknowledged this potential hazard.

Elderly residents, some from Foulkeways and others from elsewhere in the area, complained about losing a convenient facility without a viable replacement. Walking to the Gwynedd Post Office from Foulkeways is easy and pleasant for those living there who may no longer drive; walking to Spring House would be impossible. Of the Gwynedd, Spring House and North Wales post offices, Gwynedd in its pre-closure configuration is the only one with a “drive-by” box in which to place outgoing mail from one’s car, a consideration that could be important for frail or disabled people. Another resident made the point that on average those in this area pay high federal, state and local taxes and should receive commensurately good public services, including postal service. While Mr. Roberts noted that box holders did not have to accept the default migration to Spring House and had the option of setting up home delivery, community members gave reasons for preferring boxes: one lived where there was no practical place to put a home mailbox that would be accessible for both her and the carrier; another had a small business that basically required a post office box to operate. Numerous households have had a box at the Gwynedd Post Office for decades. Disruption of long-term continuity understandably provokes resentment. But as I see it, the Postal Service brushed aside without any adequate response objections to its procedural shortcuts, to the practical and financial grounds cited for the closure, and to problems at the Spring House site, and this served to magnify the sense of resentment substantially.

In this statement, I have attempted to relate, according to my best recollection, some of the outstanding particulars of the March 3, 2011 public meeting at the Lower Gwynedd Township municipal building, held by USPS ostensibly to receive community input regarding the closure of the Gwynedd Post Office. In characterizing remarks made by other members of the community, I merely represent the views voiced as I remember them. I am not advocating for any position other than that stated in the arguments of my appellant brief to the PRC.

I declare that, to the best of my knowledge and belief, the information herein is true, correct and complete.

Christina Surowiec

STATE OF PENNSYLVANIA, COUNTY OF MONTGOMERY, ss:

Notary Public

Title (and rank)

My commission expires _____